

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
21 CVS 015426, 21 CVS 500085

NORTH CAROLINA LEAGUE OF
CONSERVATION VOTERS, INC.;
HENRY M. MICHAUX, JR., et al.,

Plaintiffs,

REBECCA HARPER, et al.,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in
his official capacity as Chair of the House
Standing Committee on Redistricting, et al.,

Defendants.

**CONSENT MOTION FOR
REMOTE APPEARANCE OF
COUNSEL DUE TO MEDICAL
ISSUE**

The NCLCV Plaintiffs, with consent of all parties, respectfully request permission for David J. Bradford to appear via WebEx for the trial in this matter.

In support of this request, the NCLCV Plaintiffs state as follows:

1. Mr. Bradford is the senior most member of the Jenner & Block legal team who is both admitted *pro hac vice* in this case and familiar with the issues in this case.

2. Mr. Bradford's participation in the trial is anticipated to be limited to defending Sam Hirsch as a witness, if Mr. Hirsch testifies, and conducting any redirect examination of him, following any adverse examination of him. The NCLCV Plaintiffs maintain that Mr. Hirsch is not a proper witness in this action, and this motion should not be construed as a waiver of that position.

3. Although Mr. Bradford can participate in the trial remotely, he is not—for health reasons—in a position to travel to and appear in person in court during the week of January 3, 2022.

4. More specifically, Mr. Bradford was injured when an out-of-control vehicle crashed head-on into a stationary vehicle in which he was a passenger. He has suffered a fractured sternum and developed a hematoma behind the sternum and adjacent to the heart, among other injuries. The severity of his injuries required to be transported by ambulance to a hospital and from the hospital to a regional trauma center. He has been under medical supervision since that injury.

5. Mr. Bradford continues to suffer substantial pain from the injury, and that pain is exacerbated by motion. Any travel to and from North Carolina would cause him substantial physical pain. He remains on pain medication on account of this injury.

6. In addition, Mr. Bradford is 69 years old and is particularly concerned with avoiding exposure to COVID because of potential complications related to his fractured sternum, including excruciating pain from any cough.

7. Mr. Bradford is willing to submit confidential and personal medical records for the Court's review on an in camera basis if the Court so requests.

8. The NCLCV Plaintiffs greatly appreciate this Court's consideration of this request to appear remotely. Again, the NCLCV Plaintiffs anticipate that Mr. Bradford's role would be limited to defense and examination of Mr. Hirsch.

9. Counsel for all parties have stated that they consent to the relief sought in this motion.

Dated: December 31, 2021

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon each of the parties to this action by electronic mail to counsel at the e-mail addresses indicated below, in accordance with North Carolina Rule of Civil Procedure 5(b)(1)(a):

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This 31st day of December, 2021.

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